Application No.: 10/666,802   Docket No.: JCLA10645-R

REMARKS

Present Status of the Application

The Office Action rejected claims 1-2, 5-7, 9-27, 30-32, 34-41, and 45-47 under 35 U.S.C.

103(a) as being unpatentable over Padole et al. (U.S. Patent 6,993,664; hereinafter Padole) in

view of Hughes et al. (U.S. Pub. 2004/0059938; hereinafter Hughes).

The Office Action rejected claims 3, 8, 28, 33, 43, and 48 under 35 U.S.C. 103(a) as

being unpatentable over Padole and Hughes, and further in view of Nash (U.S. Patent 6,449,645;

hereinafter Nash).

Applicant has amended claims 1, 2, 19, 26, 34 and 41, and respectfully traverse the

rejections addressed to all of the above rejected pending claims 1-3, 5-28, 30-42, 45-48 for at

least the reasons set forth below.   Support for the amendment can be found from the

specification, and the drawings.   Specifically, paragraph 0040 teaches: "The personal identity

circuit 102 at least includes a microprocessor 106, a memory unit 108, a media access controller

110 and a non-volatile memory unit 112.   In Fig. 1, the memory unit 108 is coupled to the

microprocessor 106".

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General Discussion of the Office Action

In previous remarks filed on March 17, 2008, Applicant has further discussed the previously submitted argument of "Padole, when considered in its entirety, fails to teach 'a personal identity circuit for **holding a software serial number** of a software and **generating an inspection code in installing the software**' and 'the new product registration center reset the inspection code according to the software serial number and the communication equipment serial number'" (Emphasis added) (please refer to pages 17-19 of the remark submitted on March 17, 2008).

In the current Office Action, the Examiner made "Response to Arguments" in response to Applicant's remarks filed on March 17, 2008.

In the "Response to Arguments" section, the Examiner

1. admitted the amendments to the pending claims; and

2. stated that "Applicant's arguments, filed on Mar. 17, 2008, are moot in view of the new ground of rejection with the newly found reference by Hughes et al. (U.S. Pub. 2004/0059938).

Applicant respectfully disagrees with the Examiner.

Please note, even a new reference has been further cited in the current Office Action in rejecting the claimed invention, the previous addressed limitations "a personal identity circuit ... **generating an inspection code in installing the software**" and "**the new product registration center reset the inspection code according to the software serial number and the communication equipment serial number**" are remained interpreted as being taught by Padole, rather than Hughes.

Hughes, in fact, in the current Office Action is used in modifying Padole in arriving at the

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previously introduced amendment to the pending claims.

Specifically, Applicant would like to reemphasis that

1. The Examiner erred in interpreting the unlock limit as a part of the PID. Padole has taught "Unlocking rules allow the setting of an unlock limit", "the unlock limit is the number of unlocks which can be issued against a PID", but has never taught that the unlock limit could be a part of the PID. Please note, the unlock limit is the number of unlocks which can be issued **against** a PID (emphasis added). As such, the setting/adjusting/resetting of the unlock limit does not means a resetting of a PID. At most, Padole teaches a number corresponding to a PID, rather than the PID itself, is to be reset.

2. The addressed limitation requires: "the new product registration center reset the inspection code **according to the software serial number and the communication equipment serial number**". As contended by the Examiner, the unlock limit is adjusted according to the previously unlocked times, rather than the software serial number and the communication equipment serial number. Please note, **only after the confirmation of the product key, the step of setting the unlock limit could be performed.** Therefore, the product key is a precondition in determining a certain PID corresponding to a certain unlock limit, and is not accorded to reset the PID or unlock limit. In other words, in the step of resetting an unlock limit, what is the product key is not a concern.

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Therefore, the previous argument "Padole, when considered in its entirety, still fails to teach 'a **personal identity circuit for holding a software serial number of a software and generating an inspection code in installing the software**' and '**the new product registration center reset the inspection code according to the software serial number and the communication equipment serial number**'" submitted on March 17, 2008 still applies, and is requested to be answered in the next Office Action.

Discussion of the Office Action Rejections

The Office Action rejected claims 1-2, 5-7, 9-27, 30-32, 34-41, and 45-47 under 35 U.S.C. 103(a) as being unpatentable over Padole in view of Hughes.

In response thereto, Applicant has amended claims 1, 19, 26, and 34, and hereby otherwise traverses these rejections.

As currently amended, claims 1 and 26, recites the limitation of "wherein if the personal identity circuit is not present, the execution of the software is terminated", which is neither taught, disclosed, nor suggested by Padole and Hughes, along or in combination.

Applicant submits that the cited references, Padole and Hughes, along or in combination, even fail to mention an element which could be possibly used in teaching the personal identity circuit.

Likewise, claims 19, and 34, recites the limitation of "**a microprocessor for generating an inspection code** with a first value corresponding to a software when the software is installed in the system at the first time and a software serial number of the software is received by the microprocessor, **wherein if the microprocessor is not present, the execution of the software is**

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terminated" which is neither taught, disclosed, nor suggested by Padole and Hughes, along or in combination.

In a similar manner, Applicant submits that the cited references, Padole and Hughes, along or in combination, also fail to mention an element which could be possibly used in teaching such a microprocessor for generating an inspection code.

Further Applicants submit that each recites the limitation of "wherein the new product registration center ... compares ... wherein when the software serial number is found within one of the datasets but a communication equipment serial number in the one of the datasets differs from the received communication equipment serial number, the inspection code is reset to a second value" which is neither taught, disclosed, nor suggested by Padole and Hughes, along or in combination.

Applicant submits that the cited references, Padole and Hughes, along or in combination, fail to teach resetting a cd value when the new product registration center finds that a comparison condition is not satisfied.

As such, Padole and Hughes, along or in combination fail to teach each and every limitation of the independent claims 1, 19, 26, and 34.

Therefore, claims 1, 19, 26, and 34, and their dependent claims 2, 5-7, 9-18, 20-25, 27, 30-32, 35-41, and 45-47 are submitted to be novel and unobvious over Padole and Hughes, or any of the other cited references, taken alone or in combination, and thus should e allowed.

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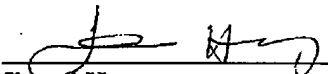
CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-3, 5-28,

30-42, 45-48 of the present application patently define over the prior art and are in proper

condition for allowance.   If the Examiner believes that a telephone conference would expedite

the examination of the above-identified patent application, the Examiner is invited to call the

undersigned.

Respectfully submitted,
J.C. PATENTS

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